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6 **IN THE UNITED STATES DISTRICT COURT FOR THE**
7 **NORTHERN DISTRICT OF CALIFORNIA**
8 **SAN JOSE DIVISION**

9 **UNITED STATES OF AMERICA and**)
10 **CRAIG HARBIDGE, Revenue Officer,**)
11 **Petitioners,**)
12 **v.**)
13 **PAUL J. SHOLTZ,**)
14 **Respondent.**)
15 **) No. C-07-4234-HRL**
16 **) APPLICATION FOR ENTRY OF**
17 **) ORDER TO SHOW CAUSE RE:**
18 **) ENFORCEMENT OF INTERNAL**
19 **) REVENUE SERVICE SUMMONSES**

20 On August 27, 2007 the Court entered an Order To Show Cause Re: Enforcement of
Internal Revenue Service Summons which required the United States to effect service of the
order on the respondent. The United States failed to timely serve the Order.

21 The United States failed to serve respondent for the reason that Mr. Sholtz refused to
22 answer his door when service attempts were made at his home. Nor did he come or go from his
23 residence when other attempts to serve him were made.

24 Accordingly, the United States requests the entry of a second show cause order. Such
order should provide the United States four weeks to effect service before the thirty-five day
25 notice period begins which requires respondent to appear and show cause, if any, why he should
not be compelled to comply with the IRS summonses previously served upon him.

26 SCOTT N. SCHOOLS
United States Attorney

27 /s/ Thomas Moore
THOMAS MOORE
28 Assistant United States Attorney
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